

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 561 of 1994

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

GODHRA SARVAJANIK SHIKSHAN MANDAL

Versus

REGIONAL PROVIDENT FUND COMMISSIONER

Appearance:

MR MB PARIKH for Petitioner

MR JD AJMERA for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 08/10/97

ORAL JUDGMENT

For the reasons and grounds given out in the judgment delivered today by this Court in Special Civil Application No.8070 of 1992, this Special Civil Application is not maintainable and the same is dismissed only on the ground of availability of statutory remedy of appeal against the impugned order.

2. In this case, I do not find that any interim relief has been granted by this Court. In the result, this Special Civil Application fails and the same is dismissed. It is hereby ordered that in case the petitioner files an appeal against the impugned order within one month from today, before the appellate tribunal, under section 7-I of the Employees Provident Funds and Miscellaneous Provisions Act, 1952, the same may not be dismissed only on the ground of limitation and shall be decided on merits by the appellate tribunal. Rule discharged subject to aforesaid directions. No order as to costs.

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(sunil)